

Remarks

Reconsideration and allowance of the above identified application is respectfully requested.

In the Office Action dated 11/30/04 the Examiner rejected all of the pending claims 1-14. The Office Action and the references cited therein have been carefully considered and this amendment is now presented in an effort to advance prosecution of the application.

The Examiner rejected all the claims under 35 USC 102 as anticipated by US Patent 5,556,042 (Roberg) or EP 0 631 717 A1 (Roberg).

Applicant has amended claims 1 and 4 to more specifically point out and distinctly claim the structure of the present invention. Specifically, the "rotatable rotor" has been amended to more specifically claim a "rotatable chopper" as disclosed in both claim 8 and paragraph 26, for example, as originally filed.

As now set forth, all the elements in Claim 1, for example, are not taught or suggested in the cited references, either singly or in combination. For example, there is no teaching or suggestion in either US 5,556,042 or EP 0631 717 of a "rotatable chopper mounted in a housing with a bottom wherein the bottom can oscillate ... for feeding residual crop material into the chopper" as now set forth in claim 1 and claim 4, as amended. In US 5,556,042 the "rotor 28" is actually a "worm conveyor" or auger and not a chopper. In EP 0631 717, it is unclear what the "rotor 3" is because no translation is provided.

It is therefore believed that the rejection of all the claims should be withdrawn and that this application is in condition for allowance. Such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present communication may be charged against Deposit Account 04-0525.

Respectfully,

  
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